

REMARKS

Claims 1-20 are pending. Claims 21-28 were previously canceled without prejudice or disclaimer.

The Examiner required restriction, under 35 U.S.C. § 121, between the following Groups as these inventions or groups of inventions allegedly are not distinct.

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| Group I | claims 1-6, drawn to nucleic acids, vectors, host cells and methods for culturing proteins. |
| Group II | claims 7-10, drawn to methods of detection utilizing hybridization. |
| Group III | claims 11-12, drawn to methods of screening molecules or compounds. |
| Group IV | claims 13-15, drawn to isolated polypeptides. |
| Group V | claims 16-17, drawn to methods for screening using polypeptide binding. |
| Group VI | claims 18-20, drawn to antibodies and methods of making antibodies. |

In response, Applicants hereby provisionally elect, with traverse, Group I, claims 1-6, drawn to nucleic acids, vectors, host cells and methods for culturing proteins. Applicants note that the non-elected method claims should be rejoined, as a matter of right, upon allowance of a product claim. *See* MPEP § 821.04.

Applicants traverse the restriction requirement on the grounds that the search and examination of at least Groups I and IV is not unduly burdensome. According to MPEP section 803 "if a search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent and distinct inventions." As the polynucleotides of Group I encode the polypeptides of Group II, Applicants suggest examination of at least Groups I and II can be made without serious burden.

In particular, it is respectfully requested that claims 13-15 of Group IV be rejoined with claims 1-6 of Group I.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

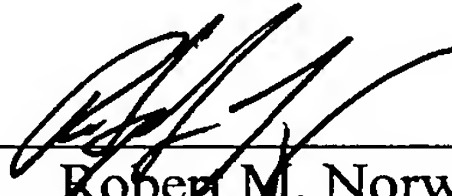
If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 19-0741. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should be charged to our Deposit Account.

Respectfully submitted,

Date Sept. 1, 2004
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